

**LIQUOR AND LICENSE COMMISSION**  
**McHenry County Government Center – Administration Building**  
**667 Ware Road**  
**Woodstock IL 60098**

MINUTES OF WEDNESDAY, JULY 14, 2010

Chairman Hammerand called the meeting to order at 9:33 a.m. The following Commission members were present: John Hammerand; Bob Bless; and Barbara Wheeler. Mary McCann was absent. James Kennedy arrived at 9:37 a.m. Also in attendance: Sarah Jansen and Jamie Rein, Assistant State's Attorneys; Ken Koehler, County Board Chairman; and interested public.

John Hammerand, Chairman	
Bob Bless	James P. Kennedy
Mary T. McCann	Barbara Wheeler

MINUTES: Ms. Wheeler made a motion, seconded by Mr. Bless, to approve the minutes of the May 12, 2010 Liquor and License Commission meeting. The minutes were approved as submitted with all members present voting aye on a voice vote.

Mr. Kennedy arrived at 9:37 a.m.

PUBLIC COMMENT: Attorney Thomas Zanck addressed the Commission on behalf of his client, Mark Hoffman, owner of Snug Harbor. He stated that Mr. Hoffman was in attendance and would be addressing the Commission in response to complaints concerning Snug Harbor, and would explain his process of conducting business at this establishment. Mr. Hoffman gave a brief summary of Snug Harbor's history. There are currently 18 slips available for boat traffic. He continually works with neighbors and municipalities in the operation of his business, and he believes there are some unfounded complaints against Snug Harbor. He stated that a representative of his business will be attending every Liquor and License Commission meeting from now on. He provided the Commission with a packet that contained several photographs and the policies and procedures for this business. He stated that he believes most of the calls made to the police are coming from one specific source and he believes they are trying to make it look like he is being a disrespectful business owner. He informed the Commission that he wants to work and communicate with the neighborhood and feels there are unsubstantiated complaints that may tarnish his business. He has two commercial cruise vessels licensed with the Coast Guard which are able to be rented for private events on the Fox River and the Chain 'O Lakes. They are rented privately by customers who are allowed to purchase liquor and food separately and consume it on the boat. Nothing is purchased on the boat; it is all pre-purchased and there are no money transactions made on the boat. He mentioned that he had one prior complaint concerning noise from a night cruise. The boat arrived in at approximately 11:00 p.m. He has a zero tolerance policy about noise coming from his cruise vessels and after this incident, he eliminated late-night cruises. He was pro-active concerning this matter to make sure it did not happen again. Ms. Rein noted that the last two Incident Reports dated May 31, 2010 and June 4, 2010 did not find any noise issues. With regard to cruise vessels, she has had conversations with officers from both Lake and McHenry Counties regarding the operations of cruise vessels in Lake County. She has confirmed that Snug Harbor's two cruise vessels are licensed by the Coast Guard. She will report back to the Commission at a later date as to whether or not this operation meets with the County's ordinances. Commission members mentioned to Mr. Hoffman that he is running a business and must be respectful to neighboring residents and they would like him to try to be more proactive in settling the complaints being made against this business. They requested that he work to make his business quieter in order to make it acceptable for the neighborhood, as well as his customers. Mr. Hoffman stated that he will address those issues immediately and will work fast and efficiently to address the issues.

Lee Papineau addressed the Commission concerning Snug Harbor. He stated that after he heard what Mr. Hoffman said to the Commission, he is more than willing to sit down and talk with Mr. Hoffman and hopefully issues can be worked out between all of them. He still has a few concerns, but he is willing to deal directly with Mr. Hoffman.

Dennis Leo addressed the Commission and raised his concerns with noise coming from Snug Harbor. He stated the noise continues to be unbelievable and can be heard at his property. He hears yelling and hollering coming from the establishment and it can be heard inside his home when the windows are open.

PRESENTATION: None.

NEW BUSINESS: *New Liquor License, Manager and/or Amusement License request:* David Saidio and Greg Smith met with the Commission to present their application for a liquor license for an establishment to be known as Chef Davito's Italian Restaurant located on the upper level at 2500 North Chapel Hill Road, McHenry, IL. The Commission interviewed

the applicants and reviewed their application and accompanying documents. Mr. Saidio mentioned that his restaurant is located on the upper level of Chapel Hill Country Club. Ms. Wheeler expressed her concerns regarding Mr. Saidio's two past failures with sting operations. Noting all documents were in order and complete, Mr. Bless made a motion, seconded by Mr. Kennedy, to approve a Class A liquor license for Chef Davito's Italian Restaurant as submitted. On a roll call vote, the motion carried with three ayes (Kennedy, Bless and Hammerand) and one nay (Wheeler). The Commission welcomed them to the business community of McHenry County and congratulated them and thanked them in advance for being good stewards of their liquor license.

*Special Liquor License:* The Commission reviewed an application for a Special Liquor License for the McHenry County Fair Association for an event to be held at the McHenry County Fair Grounds from August 4, 2010 through August 8, 2010. Ms. Wheeler made a motion, seconded by Mr. Kennedy, to approve the Special Liquor License for the McHenry County Fair Association as submitted. The motion carried with all members voting aye on a roll call vote (Kennedy, Bless, Wheeler and Hammerand).

*Raffle Permits:* Members reviewed the Raffle Permit Application for the Spring Grove Firefighter's Association. It was noted that this permit was approved earlier, but it needs to come before the Commission for formal approval. Mr. Bless made a motion, seconded by Ms. Wheeler, to approve the Raffle Permit for the Spring Grove Firefighter's Association as submitted. The motion carried with all members voting aye on a roll call vote (Kennedy, Bless, Wheeler and Hammerand).

Members reviewed the Raffle Permit Applications for the McHenry County Bar Association, the Wonder Lake Water Ski Show Team Organization and Family Service & Community Mental Health Center. Noting all documents were completed and bond information provided for each application, Ms. Wheeler made a motion, seconded by Mr. Kennedy, to approve the three requests as submitted. The motion carried with all members voting aye on a roll call vote (Kennedy, Bless, Wheeler and Hammerand).

#### OLD BUSINESS:

*Pending Liquor Licenses:* None.

*Incident Reports:* Ms. Rein reported that the last Incident Report concerning Snug Harbor was June 4, 2010. It was a noise complaint about people playing bean bags on the lawn. The officers arrived and found no one on the property, but noted there was a boat on the river which was playing very loud music. Chairman Hammerand asked that the record reflect that a representative from the McHenry County Sheriff's Department was not in attendance at this meeting. Ms. Rein informed the Commission that she will contact the Sheriff's Department to find out who will be attending future Commission meetings.

*Update on Sting Operations:* None.

EXECUTIVE SESSION: None.

REPORTS TO COMMITTEE: Mr. Koehler informed the Commission that the next meeting concerning the formation of an Underage Drinking Task Force is scheduled for Monday, July 19, 2010 at 8:00 a.m. in Conference Room A at the Administration Building. He is meeting with the Mundelein Police Department at 8:30 a.m. on July 15, 2010 concerning the Lake County Underage Drinking Task Force.

Chairman Hammerand informed the Commission that he saw a hand-out flyer concerning a hayride in Union, Illinois wherein participants would ride on a tractor-pulled wagon and visit various single-family residences for alcoholic drinks. The flyer stated that a flat-fee would be charged for this event. Ms. Rein asked Mr. Hammerand to provide the flyer to the Village of Union for their review.

ADJOURNMENT: Noting no further business, the meeting adjourned at 10:55 a.m. on a motion by Ms. Wheeler, seconded by Mr. Bless, with all members present voting aye.

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**RECOMMENDED FOR BOARD/COMMITTEE ACTION/REVIEW:**

mh

Approved 9-8-10